

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: P. Bonutti

Confirmation No.:

Application No.: To be Assigned  
(Continuation of App No. 10/163,480)  
Filed: Herewith

Group Art Unit:  
Examiner:  
Attorney Docket No.: 780-A03-021-5

For: JOINT SPACER

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. § 1.56**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

In accordance with the duty of disclosure provisions of C.F.R. § 1.56, there is hereby provided certain information, which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

A revised Form PTO/SB/08 listing all patents, publications, applications, or other information submitted for consideration is enclosed. Copies of the listed U.S. Patents and Published U.S. Patent Applications are not being submitted pursuant to the USPTO's waiver of the requirement of 37 C.F.R. § 1.98(a)(2)(i).

No admission is made that the information cited in this Statement is, or is considered to be prior art, material to patentability nor a representation that a search has been made.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(b) before the latter of three months after the U.S. patent application filing date or the first Office Action on the merits. Accordingly, no fee or certification is required.

Dated: JAN 13, 2004

Respectfully submitted,



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PTO/SB/08A (10-96)

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Substitute for form 1449A/PTO				Complete If Known		
<b>INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b> (use as many sheets as necessary)				Application Number		
				Filing Date		
				First Named Inventor P. Bonutti		
				Group Art Unit		
				Examiner Name		
Sheet	1	of	2	Attorney Docket Number 780-A03-021-5		
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	4,344,193		Kenny	08-17-82	
	AB	4,349,921		Kuntz	09-21-82	
	AC	4,385,404		Sully et al.	05-31-83	
	AD	4,450,591		Rappaport	05-29-84	
	AE	4,502,161		Wall	03-05-85	
	AF	4,516,276		Mittelmeier et al.	05-14-85	
	AG	4,808,185		Penenberg et al.	02-28-89	
	AH	4,877,020		Vich	10-31-89	
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	AJ	4,919,667		Richmond	04-24-90	
	AK	4,961,740		Ray et al.	10-09-90	
	AL	5,015,255		Kuslich	05-14-91	
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	AN	5,116,374		Stone	05-26-92	
	AO	5,192,327		Brantigan	03-09-93	
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	AQ	5,360,450		Giannini	11-01-94	
	AR	5,484,437		Michelson	01-16-96	
	AS	5,601,565		Huebner	02-11-97	
	AT	5,609,635		Michelson	03-11-97	
Examiner				Date Considered		

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIP Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet	2	of	2	Attorney Docket Number 780-A03-021-5		
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AU	5,620,448		Puddu	04-15-97	
	AV	5,669,909		Zdeblick et al.	09-23-97	
	AW	5,766,251		Koshino	06-16-98	
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	AY	5,836,948		Zucherman et al.	11-17-98	
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	BA	5,906,616		Pavlov et al.	05-25-99	
	BB	5,989,289		Coates et al.	11-23-99	
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	BD	6,066,175		Henderson et al.	05-23-00	
	BE	6,086,593		Bonutti	07-11-00	
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	BH	6,241,771		Gresser et al.	06-05-01	
	BI	6,613,091		Zdeblick et al.	09-02-03	
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